

## Message Text

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ACTION L-03

INFO OCT-01 EUR-12 IO-10 ISO-00 JUSE-00 SY-05 /031 W

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R 221324Z AUG 75

FM USMISSION USUN NY

TO SECSTATE WASHDC 1487

INFO AMEMBASSY MOSCOW

UNCLAS USUN 3785

DEPT PASS JUSTICE FOR FRANK NILAND

E.O. 11652: N/A

TAGS: PFOR UN AORG UN

SUBJ: HOST COUNTRY RELATIONS: SOVIET MISSION REQUESTS FEDERAL COURT HEARING, BUT REFUSES TO SUPPLY WITNESS.

REF: USUN 3236 AND 3237 AND PREVIOUS

1. REFTELS REPORT JUNE 24 ATTACK ON SOVIET PERMREP'S AUTO WITH GARBAGE CAN. SUSPECT (BARRY NEWMAN) SCHEDULED FOR PRELIMINARY HEARING IN NYC CRIMINAL COURT AUGUST 21.
2. LATE ON AUGUST 20, SMUN REP FIRYUBIN CALLED ON MISOFFS AND RETURNED SUBPOENA ADDRESSED TO SMUN CHAUFFEUR BORIS KUZIN. FIRYUBIN SAID KUZIN HAS RETURNED TO USSR AND THEREFORE UNABLE TO TESTIFY.
3. FIRYUBIN STATED SERIOUSNESS OF INCIDENT. MISOFFS AGREED, EMPHASIZING FACT THAT TESTIMONY BY INJURED PARTY LIKELY BE KEY ELEMENT RE OBTAINING CONVICTIONS IN SUCH CASES.
4. FIRYUBIN REQUESTED THAT USUN HAVE CASE TRANSFERRED FROM LOCAL TO FEDERAL COURT. MISOFF (ROSENSTOCK) UNDERTOOK TO MAKE REQUEST, BUT UNABLE TO PROMISE SUCCESS, ESPECIALLY IN VIEW OF ABSENCE OF SMUN WITNESS AND LATENESS OF REQUEST.
5. COMMENT: WE BELIEVE PROBLEMS OF THIS NATURE WOULD IN GENERAL BE MITIGATED IF THEY HANDLED IN FED COURT

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AND THINK IT MIGHT ENHANCE LIKELIHOOD OF SOVS PROVIDING

WITNESSES IF THEY KNEW MATTER WLD BE HANDLED IN FED  
COURT.  
FERGUSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CRIMES, DIPLOMATIC MISSIONS, AUTOMOBILES, COURTS  
**Control Number:** n/a  
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**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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